



Pete Ricketts
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Darrell Fisher
Executive Director

STATE OF NEBRASKA

REGULAR MEETING OF THE POLICE STANDARDS ADVISORY COUNCIL March 16, 2016

I. CALL TO ORDER

In Chairman Matt McCarthy's absence Vice chair, Sheriff Jerry Watson called the monthly meeting of the Police Standards Advisory Council to order at 9:00 AM. A current copy of the Nebraska Open Meetings Act was on hand and available for reference. Notice of the meeting was published in the Lincoln Journal Star on Tuesday, March 8, 2016. Roll call of members present; Sheriff Jerry Watson, Sheriff Larry Koranda, Chief Timothy Larby, Lieutenant Colonel Thomas Schwarten, and Chief Tracy Wolf. Mr. Matthew McCarthy and Captain Genelle Moore were not present.

II. APPROVAL OF FEBRUARY 17, 2016 P.S.A.C. MINUTES

MOTION

Sheriff Koranda motioned to approve the minutes as presented. Chief Larby seconded the motion. Voting in favor: Sheriff Watson, Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, and Chief Wolf.

III. ACADEMY REPORTS

A. Director – N.L.E.T.C.

Mr. Muldoon reviewed the Director's report handed out prior to the meeting stating the 64 were accepted into the 193rd Basic Training Session and one had since withdrawn having a two week military commitment in the middle of the basic. There will be a waiver request later on the agenda for 194th Basic session.

I would like to commend Brenda and her staff for considering the higher numbers. I think it is incumbent upon us to do everything we can with safety being the biggest factor. When the firearms range isn't safe because there aren't enough guest or adjunct instructors, to insure the right ratios that is where it can get backed up. So far agencies have been cooperating. Omaha doesn't even have trainees/officers here and they even sent guest assistance to the last basic. We will start a week from next Monday with 63 students.

I attended a regional meeting for directors of IADLEST last week at the Kansas Law Enforcement Academy, they had some interesting ideas. One thing they did not long ago was to institute a campus wide ban on alcohol from the time a basic student arrives on Sunday until the

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time they leave on Friday. They are not allowed to go to town and have a drink nor have alcohol on their breath or on their body during the entire week of training. They did have some model language, some justification for it, the conflict of safety that being impaired has, even though you might not be over the legal limit to drive come morning.

B. Deputy Director of Training – N.L.E.T.C.

Mr. Muldoon reviewed Deputy Director Urbanek's report in her absence. She is talking about scheduling the entrance exam three weeks prior to the start of basic so we have a firmer number of students that will be here following the second day of training.

Two students did not complete Unit I of the Reciprocity/Reactivation Training.

C. Nebraska State Patrol

Lieutenant Roby reported in Captain Duis' absence the Patrol has completed three sessions of In-Service Training. We started with 23 in our camp and currently have 21 in our camp we are in week 4 of 23. They have scale visits today in North Platte where they will get certified on portable scales.

IV. CRIME COMMISSION REPORT

Mr. Fisher passed out a report and stated today was the 43rd day of the 104th Legislative session with 13 days remaining. He reviewed the listing presented.

Last fall I talked to you on the FBI's decision to accept Soli Nabos' data, National Instant Data. It will be effective 1/1/21, there is a five year transition; for some this will be a major obstacle.

V. OLD BUSINESS

A. 2015 Annual Handgun Qualification/Continuing Education Waiver Requests

MOTION

Sheriff Koranda moved that the Council go into Executive Session based on the prevention of needless injury to the reputation of the officers of the Omaha Police Department and for the purposes of the Executive Session we'll allow the following to remain in the room; all Council members, Director Muldoon and Legal Counsel. Lieutenant Colonel Schwarten seconded the vote. Voting in favor: Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, and Sheriff Watson.

The Council went into Executive Session at 9:28 AM

MOTION

Lieutenant Colonel Schwarten motioned to come out of Executive Session. Chief Larby seconded the motion. Voting in favor: Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, and Sheriff Watson. The Council came out of Executive Session at 9:45 A.M.

MOTION

Sheriff Koranda motioned to grant the waivers of Officer Keith Thompson for his annual handgun qualification and continuing education requirements for the 2015 and Officer Larry Wells for his annual handgun qualification and continuing education requirement for 2015 both of the Omaha Police Department. Chief Larby seconded the motion. Voting in favor: Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, and Chief Larby.

MOTION

Sheriff Koranda motioned to grant conditional waivers on the condition he satisfy his continuing education hours for the year 2015 for James Hasiak, Officer Jeffrey Kilgore, for his continuing education and his annual handgun qualification for the year 2015 and Officer Eric Nordby for continuing education for year 2015 and Officer Ryan Wullschleger for his annual handgun qualification and continuing education for the year 2015 all four officers are from the Omaha Police Department. Chief Tracy Wolf seconded the motion. Voting in favor: Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, Chief Larby, and Sheriff Koranda.

MOTION

Sheriff Koranda motioned to return to Executive Session to prevent needless injury to the reputations of the respective officers requesting waivers for continuing education training and firearms for 2015 and for Director Muldoon and Legal Counsel David Stolz to stay in the room, as well as, Kay Fielding and Council members. Chief Larby seconded the motion. Voting in favor: Chief Wolf, Sheriff Watson, Chief Larby, Sheriff Koranda, and Lieutenant Colonel Schwarten. The Council went in Executive Session at 9:45 AM.

MOTION

Chief Larby Motioned to come out of Executive Session. Lieutenant Colonel Schwarten seconded the motion. Voting in favor: Chief Wolf, Sheriff Watson, Chief Larby, Sheriff Koranda, and Lieutenant Colonel Schwarten. The Council came out of Executive Session at 10:10 A.M.

MOTION

Sheriff Koranda motioned to deny the waiver for Steve Bohlen of the Blair Police Department of his annual handgun qualification and continuing education requirements for the year 2015. Chief

Wolf seconded the motion. Voting in favor: Sheriff Watson, Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, and Chief Wolf.

MOTION

Chief Larby motioned to grant a conditional waiver to Mitchell Meyer of the Grand Island Police Department with the understanding that all continuing education is made up and verified by May 1, 2016. Lieutenant Colonel Schwarten seconded the motion. Voting in favor: Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, and Sheriff Watson.

MOTION

Lieutenant Colonel Schwarten motioned to have a conditional waiver granted to Officer Gregory Graham and Officer Joshua Schaaf from Lincoln Police Department for their continuing education requests on 2015 granted the proof on said 2015 requests are presented by May 1, 2016. Chief Larby seconded the motion. Voting in favor: Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson and Chief Larby.

MOTION

Sheriff Koranda motioned to deny the waiver for Steve Grabowski of the Sarpy County Sheriff's Office for his Continuing Education requirements for the year 2015. Chief Wolf seconded the motion. Voting in favor: Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, Chief Larby, and Sheriff Koranda.

MOTION

Lieutenant Colonel Schwarten motioned to grant the waiver of Deputy Stephanie Squires, Sarpy County Sheriff's Office for Firearms qualification and Continuing Education hours for 2015. Chief Wolf seconded the motion. Voting in favor: Chief Wolf, Sheriff Watson, Chief Larby, Sheriff Koranda, and Lieutenant Colonel Schwarten.

MOTION

Chief Larby motioned to grant the waiver for Darnell Huppert of the Washington County Sheriff's Office for his Continuing Education for the year 2015. Sheriff Koranda seconded the motion. Voting in favor: Sheriff Watson, Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf.

MOTION

Lieutenant Colonel Schwarten motioned on the request for waiver of 2015 for Officer Rudolph Svoboda for the Wisner P.D. and that it be a conditional waiver pending his proof provided to Training Center by May 1, 2016 demonstrating 2015 Firearms qualification. Sheriff Koranda seconded the motion. Voting in favor: Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf and Sheriff Watson.

VI. NEW BUSINESS

A. Waiver of the One-Year Reactivation Requirement

Charles Menezes, Minatare Police Department

Mr. Muldoon stated Mr. Menezes would be over his one-year from August 1 – September 19, 2016 or until he successfully completes the Reactivation course.

MOTION

Sheriff Koranda motioned to grant the waiver of the one-year Reactivation training for Charles Menezes of the Minatare Police Department with the condition that Officer Menezes successfully completes the next available reactivation class and from the time of his one-year anniversary of August 1, 2016 until that successful completion he does not perform any law enforcement duties. Lieutenant Colonel Schwarten seconded the motion. Voting in favor: Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, and Chief Larby.

B. Waiver of One-Year Basic Training Requirement

Alex Huntley, Furnas County Sheriff's Office

Mr. Muldoon explained this was one of the students who did not make it into the 192nd Basic Training Session due to the capacity issue, it was beyond his control. He will be over by two days. July 13th is his deadline and the class graduates July 15th. He is scheduled to attend the next class.

MOTION

Chief Larby motioned to grant the waiver of the one-year requirement with the stipulation that he has no powers for the two days before he successfully completes the next available basic. Sheriff Koranda seconded the motion. Voting in favor: Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, Chief Larby, and Sheriff Koranda.

**C. Professional Instructor Certification/Recertification
Professional Recertification**

Laurie Scott, Omaha Police Department

Sheriff Koranda motioned to approve the professional recertification of Laurie Scott of the Omaha Police Department as presented by the paperwork and noted by Assistant Director Urbanek. Lieutenant Colonel Schwarten seconded the motion. Voting in favor: Chief Wolf, Sheriff Watson, Chief Larby, Sheriff Koranda, and Lieutenant Colonel Schwarten.

He noted according to Deputy Director Urbanek's notes the consensus was there were no objections from the Training Center staff as to the acceptance of the lesson plan.

Sergeant Baker addressed the Council stating they had developed the curriculum through about 10 different modules then there was a test out and a written test and the instructor qualification, which is basically the Nebraska State Handgun Shoot held to a 90% level of proficiency to test out. Each of the individual modules has a specific set of learning and teaching objectives. There are teach backs incorporated into the lesson plan. Mr. Hayes and Mr. Stephenson have both reviewed it and I believe they are satisfied with it. It meets or exceeds what the Training Center teaches. The exit test would be 80% on the written and 90% on the Nebraska Qualification Course. Omaha would only be teaching our own officers.

Mr. Hayes stated he had reviewed the lesson plan and it appeared to be a sound lesson plan. I personally witnessed Sergeant Baker and his abilities to do teach backs and see no issue with what they are trying to do. In addition if it was to be granted by the Council, it would relieve a little bit of duty from the Training Center as they would be handling their own people. I feel that would be a little beneficial to the Training Center.

Mr. Muldoon stated that it was Deputy Director Urbanek's recommendation to approve the Omaha Police Department Training Course Lesson Plan.

MOTION

Chief Larby motioned to approve Omaha Police Department Firearms Instructor Certification Course In-Lieu-Of NLETC as presented for the year 2016. Sheriff Koranda commented on the checklist sheet it also says Recertification, is that also covered in the lesson plan?

Discussion followed.

Mr. Stolz stated for the Recertification, they should conduct the course then submit the list of individuals who took the course on this date to recertify according to this Recertification lesson plan, will you approve the course for certification.

Chief Wolf seconded the motion. Voting in favor: Sheriff Watson, Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, and Chief Wolf.

The meeting broke at 10:45 A.M. and resumed at 10:55 A.M.

E. Waiver of Management Training In-Lieu-Of LPO
Lieutenant Chad Reed, Bellevue Police Department

Mr. Muldoon stated Bellevue Police Department had withdrawn the request for action.

F. Waiver of Supervision Training In-Lieu-Of LPO
Sergeant Scott Miller, Bellevue Police Department

Mr. Muldoon recommended approval of the request.

MOTION

Lieutenant Colonel Schwarten motioned for the waiver request to attend Supervision training In-Lieu-Of LPO for Sergeant Scott Miller, Bellevue Police Department. Chief Larby seconded the motion. Voting in favor: Chief Larby, Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, and Sheriff Watson.

G. Waiver of One-Year Training Requirement
Officer Daniel G. Morales, Imperial Police Department

Mr. Muldoon stated Officer Morales will exceed his one-year training requirement due to a military deployment and would recommend the waiver.

MOTION

Lieutenant Colonel Schwarten motioned to grant the waiver of the one-year training requirement for Officer Daniel Morales from the Imperial Police Department with the caveat that he not practice or conduct any law enforcement duties after the expiration of his one year prior to successful completion of class 194 in December of 2016. Chief Larby seconded the motion. Voting in favor: Sheriff Koranda, Lieutenant Colonel Schwarten, Chief Wolf, Sheriff Watson, and Chief Larby.

VII. OTHER BUSINESS

A. Date, Time & Location of Next Meeting
April 20, 2016, 9:00; Library, Nebraska Law Enforcement Training Center,
3600 North Academy Road, Grand Island, Nebraska 68801

Mr. Muldoon discussed two of the separations in the information packet.

Hearing no further business, the meeting adjourned at 11:00 AM.

Respectfully,


Kay Fielding,
Secretary to the Council